

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
 )  
v. ) Case No. 4:19-cv-00415  
ALEXANDRU BITTNER, )  
Defendant. )  
\_\_\_\_\_ )

**DEFENDANT'S OPPOSED MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT  
FOR NON-DISPOSITIVE MOTIONS UNDER LOCAL RULE 7(a)(2)**

Defendant Alexandru Bittner respectfully moves the Court for leave to exceed the 15-page limit under the Local Rules for his Motion to Compel and in support thereof, states as follows:

1. Under Local Rule 7(a)(2) a non-dispositive motion is limited to 15 pages. Defendant's Motion to Compel is subject to that 15-page limit. However, Defendant's Motion to Compel is approximately 21 pages long. As a result, Defendant now files this Motion for Leave to exceed the 15-page limit.
2. Counsel for both Plaintiff and Defendant participated in a telephonic hearing before the Court on April 22, 2020 regarding their discovery disputes as required by the scheduling order. As a result of that hearing, the Court directed the parties to engage in motion practice.
3. Due to the complex and fact specific nature of this case, the importance of the issues involved, the value of the case (nearly three million dollars), as well as the multitude of responses Plaintiff wrongfully objected to, Defendant requires more than the 15 pages allowed by the Local Rules. Defendant believes that the information in its Motion is critical to allow the Court to fully understand the discovery issues involved.

4. Counsel for Defendant contacted Plaintiff by telephone, and they are opposed to the relief requested in Defendant's Motion for Leave.

WHEREFORE, Defendant respectfully requests the Court grant this Motion.

Dated: June 25, 2020

Respectfully submitted,

CLARK HILL STRASBURGER

By: /s/ Farley P. Katz  
FARLEY P. KATZ, LEAD ATTORNEY  
State Bar No. 11108790  
[FKatz@clarkhill.com](mailto:FKatz@clarkhill.com)  
RACHAEL RUBENSTEIN  
State Bar No. 24073919

FORREST M. "TEO" SEGER III  
State Bar No. 24070587  
[TSege@clarkhill.com](mailto:TSege@clarkhill.com)

CLARK HILL STRASBURGER  
2301 Broadway Street  
San Antonio, Texas 78215  
210-250-6006 Ph.  
210-258-2714 Fax

ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 25, 2020, a true and correct copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Herbert W. Linder  
Mary E. Smith  
Attorney, Tax Division  
United States Department of Justice  
717 N. Harwood, Suite 400  
Dallas, Texas 75201  
[Herbert.W.Linder@usdoj.gov](mailto:Herbert.W.Linder@usdoj.gov)  
[Mary.E.Smith@usdoj.gov](mailto:Mary.E.Smith@usdoj.gov)  
*Attorneys for Plaintiff,  
United States*

/s/Farley P. Katz  
FARLEY P. KATZ